

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Petition of Intrado Communications of Virginia)	
for Arbitration Pursuant to Section 252(b) of the)	
Communications Act of 1934 to Establish an)	
Interconnection Agreement with Verizon South)	
Inc. and Verizon Virginia Inc.)	WC Docket No. 08-185
)	
Petition of Intrado Communications of Virginia)	
For Arbitration Pursuant to Section 252(b) of)	
the Communication Act of 1934 to Establish)	
an Interconnection Agreement with Central)	
Telephone Company of Virginia and United)	
Telephone—Southwest, Inc. (Collectively,)	
“Embarq”))	WC Docket No. 08-33

COMMENTS OF THE WASHINGTON STATE ENHANCED 911 PROGRAM

The Washington State E911 Program,¹ respectfully submit these initial comments to the Federal Communications Commission’s (“FCC’s”) Public Notice seeking comment on the competitive provision of 9-1-1 network services presented by the above-referenced consolidated arbitration proceedings in Virginia.²

I.

Summary

This current request for comments points to the need for a thorough evaluation of the rules and expectations associated with 9-1-1 services. The specific elements are substantial but

¹ The Washington State Enhanced 911 Program was formed in 1992 by the voter approval of Referendum 42. The Program assists counties to assure that enhanced 911 dialing is available statewide for all types of devices. The Program acquires network and database service for the State and assists counties with both technical and fiscal support programs.

² WC Docket Nos. 08-33 and 08-185, “Comment Sought on Competitive Provision of 911 Service Presented by Consolidated Arbitration Proceedings,” DA 09-1292 (June 4, 2009).

point to a larger issue of 9-1-1 services entering a competitive arena where the for the long term benefit of the public the rules that govern the relationships between those who assure that their customers can dial 911 and those who acquire the 9-1-1 networks must be clarified. To a large degree 9-1-1 services operate in a legacy atmosphere that is no longer appropriate in the competitive telecommunications environment. The situation is exacerbated by the move to Internet Protocol based Next Generation 9-1-1 where the technology itself does not fit the tradition defined relationships. It may be possible to comment on the specific points raised in this arbitration, however the impact is potentially sufficient to warrant a far larger discussion by the Commission.

II.

Comments

The nature of 9-1-1 services has changed as new technologies have been required to provide 9-1-1 dialing for their subscribers, to a significant degree in concert with the migration of telecommunications services in general to a competitive environment. This change has forced traditional relationships between public safety entities and those who provide 9-1-1 services to accommodate providers with different business models and to accommodate technologies with capabilities not anticipated in the legacy 9-1-1 systems. The telecommunications business itself has changed with the traditional Local Exchange Carrier that supplied 911 service no longer the only entity with the capability to provide appropriate service elements and in many cases multiple companies specializing in the management of elements of the 9-1-1 systems such as switching or transport. The move to Internet Protocol based call management for 9-1-1 continues the trend toward multiple source availability for the elements necessary to provide 9-1-1 services. Any rulings on the issue of competitive 9-1-1 networks in these consolidated

arbitration proceedings should embrace the concept that 9-1-1 services will be acquired in a competitive environment. It may be appropriate for the FCC to take steps to review the entire set of rules and regulations that have defined the provisioning of 9-1-1 services to assure that 9-1-1 services can fully embrace the potentials presented by competition.

The FCC should make it clear that any public telecommunications services that permit connecting to the 9-1-1 network have the capability to provide the anticipated service level and features associated with calls to 9-1-1. Furthermore, it should be make clear that all service providers have an obligation to, at their expense, connect to the 9-1-1 networks with both the call and the associated data elements delivered to the 9-1-1 system. Doing so provides a clear demarcation between the service provider networks and the public safety entity managed 9-1-1 system, clarifying the roles of each. Today carriers often collaborate on the use of network service elements often purchasing from each other or even sharing facilities. Establishing a standard point of demarcation for 9-1-1 in conjunction with the requirement that all provide 9-1-1 dialing under the same terms will forward competition while removing any potential conflicts between carriers selected by public safety entities to provide 9-1-1 system management and the carrier provided obligatory 911 dialing capability.

The FCC must make it clear that there will be regulatory oversight of 9-1-1 services, both by themselves and as an obligation of the state utility commissions.³ This oversight should include issues as varied as interconnection rules to consumer protection encompassing the gamut of 9-1-1 from how carriers work together to what consumers should expect when dialing 911. These issues may include not currently discussed sections such as the obligation of carriers to collaborate on 9-1-1 service restoration after disasters. The issues raised in this current request for comments point to the need for a thorough examination of the regulatory environment in which 9-1-1 services are provided.

III. **Conclusion**

The Commission is encouraged to view the issues raised in this proceeding as being indicative of the larger context of regulations involving 9-1-1 services and convene an appropriate venue for a discussion of appropriate regulatory changes to forward a competitive 9-1-1 services environment.

Respectfully submitted,



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³ The Washington State Utilities and Transportation Commission has for a number of years maintained a clear set of 911 expectations of carriers it regulates under its Washington Administrative Code 480.120 with specific rules in sections such as 450, 451 and 452.